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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/080,952

02/21/2002

Samir Khazaka

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EXAMINER

ROSWELL, MICHAEL

ART UNIT

PAPER NUMBER

2173

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
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3 MONTHS

01/02/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No.	Applicant(s)	
	10/080,952	KHAZAKA, SAMIR	
	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-20, 22-35 and 37-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-20, 22-35 and 37-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 16, 31, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura et al (US Patent 6,189,056), hereinafter Ogura, and Naughton et al (US Patent 6,020,881), hereinafter Naughton.

Ogura teaches loading an application on a communication device, and emulating a user interface for the application on the host device, taught as the transfer of data to an "IBM ChipCard VW-200", that is used as a memory card when connected to a PC, and behaves as a PDA when it is removed from the PC's card slot, at col. 2, lines 29-41.

However, Ogura fails to explicitly teach emulating a user interface for the application only on the host device, and executing the application only on the communications device.

Naughton teaches a graphical user interface (GUI) for the control of networked devices, including "intelligent devices" similar to the ChipCard of Ogura. Furthermore, Naughton teaches providing a user interface for an application only on the host device (see col. 17, lines 11-42), and executing the application on the communications device (col. 9, lines 10-17).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Ogura and Naughton before him to modify the system of Ogura to include the networked device control of Naughton.

One would have been motivated to make such a combination for the advantage of controlling a remote device from a central user interface to provide an intuitive and simple system for such control. See Naughton, col. 1, lines 11-16.

Claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35, 37-40, 42-45, 47-54, and 56-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura, Naughton, and U.S. Patent Application Publication 2001/0041973 (Abkowitz et al).

Referring to claims 2, 17, 32, and 47, Ogura and Naughton disclose the method and apparatus of claims 1, 16, 31, and 46 as explained above but fails to disclose emulating a device display area in conjunction with said user interface. Abkowitz, however, discloses in Figure 1 a user interface [100] provided by a management device, which comprises a device display area [120] pertaining to an associated communication device. Abkowitz further explains in paragraphs 14 and 15 that his invention allows users to more conveniently view and change how information will be displayed on communication devices with limited or different display capabilities. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Abkowitz's device display area with the host user interface of Ogura and Naughton because the combination would have advantageously allowed users to view and modify how an application would have been displayed on a communication device with limited or different display capabilities.

Referring to claims 3, 18, 33, and 48, Abkowitz discloses in paragraph 31 that the device display area [120] is provided in a frame [130] of a web page [100]. Said web page is inherently displayed on display [712] of the management device [700] in Figure 7.

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Referring to claims 4, 19, 34, and 49, Abkowitz discloses in Figure 1 that the device display area [120] corresponds in appearance to a mobile communication device.

Referring to claims 5, 20, 35, and 50, Abkowitz discloses in Figure 5 that a graphics display area [550] is emulated within said device display area [520].

Referring to claims 7, 22, 37, and 51, Abkowitz discloses in Figure 5 and further explains in paragraph 46 that output of an executing application is routed to the graphics display area [550].

Referring to claims 8, 23, 38, and 52, Abkowitz discloses in Figure 1 that the device display area [120] corresponds in appearance to a mobile communication device.

Referring to claims 9, 24, 39, and 53, Abkowitz discloses in paragraph 45 that the user can configure the display capabilities of the graphics display area.

Referring to claims 10, 25, 40, and 54, Abkowitz discloses in Figure 5 that a user interface area [550] is provided within said device display area [520].

Referring to claims 12, 27, 42, and 56, Abkowitz discloses in Figure 1 that the user input display area corresponds in appearance to a mobile communication device.

Referring to claims 13, 28, 43, and 57, Abkowitz discloses in paragraph 45 that the user can configure the layout of the user input area.

Referring to claims 14, 29, 44, and 58, Abkowitz discloses in paragraph 46 that the act of emulating the device display area is mirroring the display of said communication device.

Referring to claims 15, 30, 45, and 59, Abkowitz discloses in paragraph 46 that the act of emulating the device display area is mirroring the actions of said communication device.

Claims 11, 26, 41, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura, Naughton, and Abkowitz, as applied to claims 10, 25, 40, and 54 above, and further in view of Paroz (US Patent 6,587,125).

Ogura, Naughton and Abkowitz disclose the method and apparatus of claims 10, 25, 40, and 54 as explained above, but fail to disclose routing user input provided in the user input area to said communication device. Paroz, however, discloses in col. 3, lines 48-67 and col. 4, lines 1-2 a method and apparatus for controlling a first computing device from a second computing device wherein a user interface is generated on the second computing device that is logically equivalent to the user interface on the first computing device. The equivalent user interface then enables control of the first computing device in an intuitive manner by routing user input from the second computing device to the first computing device. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to route user input from a host device to a communication device as taught by Paroz in combination with the teachings of Ogura, Naughton and Abkowitz because it would have been beneficial to interact with the communication device using an equivalent but more accessible interface.

Response to Arguments

Applicant's arguments filed 11 October 2006 have been fully considered but they are not persuasive.

In response to applicant's argument that Ogura and Naughton fail to teach "emulating a user interface", the examiner respectfully disagrees. Applicant has cited paragraph [0032] and [0033] of the application for allegedly teaching that a graphics area on a host device "may correspond in appearance to the graphics area of a particular communication device" and "the user input area may correspond generally to the keypad of a communications device".

However, the examiner can find no such teaching in the cited paragraphs. Furthermore, the word "emulation", while well known in the art, is not present in applicant's specification, save for the title. Instead, applicant cites multiple times that a host computer "provides" the user interface for a communications device. See [0005], [0023], [0033], and the Abstract. Therefore, the examiner reserves the right to interpret the claimed "emulating a user interface" in the broadest reasonable light, and as applicant's own specification describes "providing a user interface", the examiner contends that the two terms are made analogous by the absence of the former term and the presence of the latter in the specification.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Roswell

12/22/2006


TADESSE HAILU
Patent Examiner